



# Declaration of Ongoing Public Health Emergency and State of Emergency (3/15/22 to 4/13/22) Frequently Asked Questions

## VI. ENTRY REQUIREMENTS

### Q28: How do I apply for an entry permit to American Samoa?

**A:** All entry permits are suspended until further notice with the exception of Guest Worker Permits issued for employment at a cannery or call center pursuant to A.S.C.A § 41.0901 et seq. and any entry permits authorized by the GAR.

### Q29: What do I need to do before traveling to American Samoa?

**A:** If you are traveling from a place with community spread of COVID-19, you must register on **TALOFAPASS** (<https://talofapass.as.gov/>) at least 21 days prior to arrival unless exception made by GAR.

### Q30: What is TALOFAPASS?

**A:** **TALOFAPASS** is an online program approved by the COVID-19 Task Force, the Department of Health, and the Department of Legal Affairs. Persons who travel from a place outside American Samoa where there is COVID-19 community spread and those who test positive with COVID-19 in American Samoa should register on it.

### Q31: What documents do I need to submit on TALOFAPASS if travelling from off-island?

- A:** Must have a confirmed flight with a confirmation code. Must upload travel/residency documents.
- Must show proof of full vaccination for all travelers 5 years old and older, unless the person is not medically qualified
  - Must show proof of negative test or tests prior to arrival required by Department of Health.

### Q32: What happens when a person makes a false statement or provides fraudulent documents on TALOFAPASS?

**A:** That person will be subject to criminal prosecution.

### Q33: Do I need to be boosted before entering the territory?

**A:** No, however it is highly encouraged.

### Q34: What is the status of air and sea travel to AS?

**A:** All air and sea travel to American Samoa is suspended unless approved by the Governor or Lt. Governor upon assurance that the health and safety of American Samoa residents will be protected.

### Q35: What are the DOH requirements for air crew on flights planning to travel to American Samoa?

**A:** All air crew must contact DOH at least 96 hours prior to travel and provide documents required by the Director of Health. Must submit proof of a negative COVID-19 test at least 72 hours prior to arrival, evidence of having recovered from COVID-19 in the last 6 months, or proof of complete vaccination at least 14 days prior to arrival. Agents for cargo flights are responsible for providing that proof to DOH. Air crew not permitted to exit aircraft without prior written approval of Governor or Lt. Governor unless it is necessary to comply with safety requirements. Crew allowed to stay overnight will be quarantined.

### Q36: What are the DOH requirements for shipping vessels planning to enter American Samoa?

**A:** Shipping agents for vessels, including but not limited to fishing and cargo vessels, entering American Samoa must provide to DOH documentation required by International Health Regulations and must provide the DOH proof of negative COVID-19 test, evidence of having recovered from COVID-19 in the last 6 months, or proof of complete vaccination at least 14 days prior to arrival for each person on the vessel at least 72 hours prior to arrival. No person will be allowed to disembark from any vessel unless they are residents of American Samoa without written approval of the Governor or Lt. Governor.

## VII. GOVERNMENT EMPLOYEES' VACCINE MANDATE

### Q37: Who is mandated to get "fully vaccinated" meaning a person has received the full course of COVID-19 vaccination and 14 days has elapsed?

**A:** All Executive Branch employees of the American Samoa Government, career service employees,

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political appointees, and contract employees.

**Q38: Did semi-autonomous agencies require their employees to get fully vaccinated?**

**A:** Semi-Autonomous authorities and agencies such as ASPA, ASCC, LBJTMC, ASTCA etc. have their own personnel policies and have adopted “full vaccination” requirements for their employees.

**Q39: Are all new hires for ASG mandated to be fully vaccinated before starting work?**

**A:** Yes. Unless they can provide proof of an approved exemption and accommodation.

**Q40: Are COVID-19 Booster shots mandated?**

**A:** Booster shots are mandated for certain first responders and essential workers who are eligible and not exempted.

**Q41: What are the three exemptions from the ASG employees COVID-19 vaccination mandate?**

**A:** An ASG employee may request an exemption to the vaccine mandate for the following reason(s):

- A disability pursuant to the Americans with Disabilities Act (42 USC Section 1201 et seq.)
- A valid medical reason;
- A sincerely held religious belief, practice, or observance

Written requests for exceptions and accommodations must be made to the Director of Human Resources.

**Q42: What happens if by the deadline, the ASG employee fails to comply with the full vaccination requirement or the mandated first responder fails to comply with the booster requirement?**

**A:** The employee who did not obtain an exemption and fails to comply with the full vaccination requirement, or the mandated first responder who fails to comply with the booster requirement, will be placed on leave and may be suspended and terminated. There should be no further disciplinary action if he provides proof of full vaccination/booster or proof of an exemption or the state of emergency is over.

**Q43: What leave is used when one is placed on leave?**

**A:** Employees may use their accumulated annual or sick leave while they are placed on leave for non-compliance. Otherwise, the leave shall be without pay.

## VIII. PRICE GOUGING

**Q44: What is price gouging?**

**A:** Generally, price gouging is when during a state of emergency, a person or business sells goods or necessary services more than 10% than the price the same was sold before. See ASCA Title 27, Chapter 9.

**Q45: Do I report price gouging to the police?**

**A:** Yes. It is important to report price gouging to the Dept of Public Safety: ph. 633-1111 or 699-1111, [tafunasubstation@gmail.com](mailto:tafunasubstation@gmail.com). Provide business name and location, item(s), current and previous price of product, receipts, claimant’s name. contact info.

**Q46: When does the police refer a price gouging case to the Department of Legal Affairs?**

**A:** After DPS investigates and gathers sufficient evidence to charge the reported business owner with price gouging, the case will be referred to the Dept of Legal Affairs/AGO for prosecution.

## IX. TRANSPORTING HUMAN REMAINS

**Q47: What is the process of transporting human remains to or from American Samoa?**

**A:** A request for transporting human remains to or from American Samoa must be submitted to the Department of Health for review, and to the Lieutenant Governor for final approval or disapproval.

**Q48: If the deceased passed away from COVID-19, can deceased still be transported to American Samoa?**

**A:** Yes. Please be advised that during the funeral, the casket must remain closed.

## X. EMERGENCY RECIPROCITY FOR MEDICAL ASSISTANCE FROM OUTSIDE THE TERRITORY

**Q49: What is the Emergency Reciprocity for Medical Assistance from Outside American Samoa?**

**A:** It is an emergency reciprocity authorization granting temporary licensing in American Samoa of medical professionals who are already licensed by a U.S.

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state or territory or District of Columbia so they can provide medical assistance to the people of American Samoa during the COVID-19 community spread and surge. The medical professional's license has not been suspended in a U.S. state or territory or District of Columbia.

**Q50: Where are the medical professionals covered under the emergency reciprocity licensing authorization, working at?**

**A:** These medical professionals include physicians, nurse practitioners, nurses and pharmacists. Some are federal medical responders working for the ASG COVID-19 response or recovery program. Some are under contract with LBJTMC or DOH. All are preparing for or mitigating the effects of or recovery of our residents from COVID-19.

## **XI. EMERGENCY RULEMAKING**

**Q51: Is it legal for ASG Departments, Agencies and Offices to create emergency rules?**

**A:** Yes. They may promulgate emergency rules in accordance with the established law and the Administrative Procedures Act. Emergency rules must be submitted to the Governor before promulgation.

## **XII. ENFORCEMENT**

**Q52: What are the consequences of violating this emergency declaration?**

**A:** Any person who violates the requirements of this declaration or violates a quarantine or isolation order issued by the Director of Health or designee may be charged and fined up to \$1000.